

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)
)
)
v.) **Criminal Action No. 1:23-00070-JB-N**
)
CRAIG D. PERCIAVALLE,)
JOSEPH A. RUNKEL, and)
WILLIAM O. ADAMS,)
Defendants.)

ORDER

Upon due consideration of the parties' "Joint Motion for Entry of Revised Scheduling Order" filed August 11, 2024 (Doc. 121),¹ and having held a telephonic scheduling conference on the matter with the parties on August 15, 2024, said motion is **GRANTED**, such that certain deadlines and provisions in the Court's scheduling order entered October 6, 2023 (Doc. 89), are **MODIFIED** as follows, and additional deadlines are also established:²

- **EXPERT WITNESSES.** The defendants must disclose all expert witness information and material required by Fed. R. Crim. P. 16(b)(1)(C) no later than **APRIL 4, 2025.** The United States must disclose all **rebuttal** expert witness information and material required by Fed. R. Crim. P. 16(b)(1)(G) no later than

¹ The assigned District Judge has referred said motion to the undersigned Magistrate Judge for appropriate action under 28 U.S.C. § 636(a)-(b), Federal Rule of Criminal Procedure 59, and S.D. Ala. GenLR 72(a). See S.D. Ala. GenLR 72(b); (8/12/2024 electronic reference notation).

² All deadlines and provisions in the October 6, 2023 order (Doc. 89) not expressly modified by this order, or a prior order, remain in full effect.

MAY 16, 2025. All motions challenging expert witnesses, including *Daubert* motions, must be filed no later than **JUNE 13, 2025.** Unless the Court sets a different deadline, briefs in response to any such motion must be filed no later than **14 days after the filing of the motion,** and briefs in reply to any response brief must be filed no later than **7 days after the filing of the response.** No other briefing or submissions addressing expert witness challenges may be filed without leave of the Court for good cause shown.

- **RULE 404(b) EVIDENCE.** The United States must file any notice under Fed. R. Evid. 404(b)(3) no later than **MARCH 14, 2025.** The defendants must file any briefs objecting to such notices no later than **MARCH 28, 2025.** No other briefing or submissions addressing the Rule 404(b)(3) notices may be filed without leave of the Court for good cause shown.
- **PRETRIAL MOTIONS, NOTICES, AND DEMANDS.** All dispositive pretrial motions under Fed. R. Crim. P. 12(b) (i.e., motions seeking dismissal of charges) must be filed no later than **NOVEMBER 22, 2024.** All other pretrial motions under Fed. R. Crim. P. 12(b), 14, and 16; all notices or demands under Fed. R. Crim. P. 12.1, 12.2, and 12.3, and S.D. Ala. CrLR 12.5 (entrapment); and any motion to compel, must be filed no later than **APRIL 18, 2025.** Unless the Court sets a different deadline, briefs in response to any such motion must be filed no later than **14 days after the filing of the motion,** and briefs in reply to any response brief must be filed no later than **14 days after the filing**

of the response. No other briefing or submissions addressing pretrial motions may filed without leave of the Court for good cause shown.

- **MOTIONS IN LIMINE.** Any motion *in limine* must be filed no later than **AUGUST 15, 2025.** Unless the Court sets a different deadline, briefs in response to any motion *in limine* must be filed no later than **14 days after the filing of the motion,** and briefs in reply to any response brief must be filed no later than **7 days after the filing of the response.** No other briefing or submissions addressing motions *in limine* may filed without leave of the Court for good cause shown.
- **PROPOSED VOIR DIRE & JURY CHARGES.** Any proposed *voir dire* questions and jury charges must be filed no later than **AUGUST 15, 2025.**
- **PRETRIAL CONFERENCES.** Pretrial conferences under Fed. R. Crim. P. 17.1 and S.D. Ala. CrLR 17.1(b) are set as follows, each to be held **IN-PERSON** before the undersigned Magistrate Judge in **Courtroom 5B** of the United States District Courthouse at 155 St. Joseph Street, Mobile, Alabama 36602.
 - **OCTOBER 4, 2024,** beginning at **2:00 P.M. (Central)**. Lead trial counsel for each party shall attend this pretrial conference, and they shall be prepared to discuss any pending motions and discovery issues, possible stipulations, estimated length of the trial, change of plea, and any other relevant matters. The defendants may participate in this conference, but their presence is not required.

- **MARCH 14, 2025**, beginning at **12:30 P.M. (Central)**. Lead trial counsel for each party shall attend this pretrial conference, and they shall be prepared to discuss any pending motions and discovery issues, possible stipulations, estimated length of the trial, change of plea, and any other relevant matters. The defendants may participate in this conference, but their presence is not required.
- **JULY 1, 2025**, beginning at **10:30 A.M. (Central)**. Lead trial counsel for each party shall attend this pretrial conference, and they shall be prepared to discuss any pending motions and discovery issues, possible stipulations, estimated length of the trial, change of plea, and any other relevant matters. The defendants may participate in this conference, but their presence is not required.
- **SEPTEMBER 5, 2025**, beginning at **10:30 A.M. (Central)**. Lead trial counsel for each party, **and each of the defendants**, shall attend this pretrial conference. Counsel shall be prepared to discuss any pending motions and discovery issues, possible stipulations, estimated length of the trial, change of plea, and any other relevant matters.

In those instances where a Notice of Intent to Plead Guilty is filed prior to a pretrial conference date, it is not necessary for that defendant or his counsel to appear for that pretrial conference.

DONE and ORDERED this the 26th day of August 2024.

/s/ Katherine P. Nelson

KATHERINE P. NELSON

UNITED STATES MAGISTRATE JUDGE